

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

HONORABLE BETHANY G. HICKS

CLERK OF THE COURT

I. Ostrander

Deputy

IN RE THE MARRIAGE OF
DOUGLAS PALMER

AMANDA M SAVAGE

AND

CARRIE PALMER

JAN M BUESCHER

CONCILIATION SERVICES-SE
FAMILY SUPPORT SERVICES-CCC

**RETURN HEARING
TEMPORARY ORDERS ENTERED
REFERRAL FOR PARENTING CONFERENCE
TRIAL TO THE COURT SET**

Courtroom 301 SEF

4:33 p.m. This is the time set for Return Hearing regarding Petitioner's *Motion for Pre-Decree Temporary Orders* filed on February 18, 2015, and Respondent's response filed on March 16, 2015. Petitioner/Father is present and is represented by counsel, Amanda M. Savage. Respondent/Mother is present and is represented by counsel, Jan M. Buescher.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

LET THE RECORD REFLECT prior to commencement of this proceeding, Douglas Palmer (Father) and Carrie Palmer (Mother) are sworn.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

Counsel for Mother addresses the Court.

Counsel for Father addresses the Court.

Discussion is held.

Based upon the agreement of the parties,

IT IS ORDERED awarding the parties joint legal decision-making authority for the children.

Based upon the information presented and so long as Father is paying the community debts, the mortgage, and the housing expenses,

IT IS ORDERED that Father shall pay to Mother as and for temporary spousal maintenance the sum of \$850.00 per month, payable through the Support Payment Clearinghouse by *Income Withholding Order* on the first day of each month commencing June 1, 2015.

The *Income Withholding Order* is initiated electronically by the above-named deputy clerk; confirmation no. 438955.

IT IS FURTHER ORDERED that at any time an *Income Withholding Order* is not paying the spousal maintenance obligation in full, Father shall make full and timely payments directly to the Support Payment Clearinghouse in accordance with the instructions for making support payments through the Clearinghouse attached hereto. The payment should show the cause number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party must be submitted to the Clerk's office, in writing, within ten (10) days of the change [A.R.S. § 25-322(C)]. Failure to notify the Clerk's office of any change may be considered contempt of Court.

IT IS FURTHER ORDERED that Father shall complete and file with the Clerk of the Court the *Current Employer Information* form attached hereto.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

As an interim order,

IT IS FURTHER ORDERED that Father shall pay a portion of Mother's attorney's fees in the amount of \$5,000.00, subject to reallocation at trial.

IT IS FURTHER ORDERED the parties shall participate in a **Parenting Conference with child interviews**. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

THE COURT FINDS that both parties are unable to afford to pay the entire Parenting Conference Fee of \$300 per party today but are eligible to make monthly payments pursuant to a payment plan.

Therefore,

IT IS ORDERED that each party shall pay to the Clerk of Court his/her portion of the Parenting Conference Fee at a rate of \$50.00 per month beginning thirty (30) days from the date of this minute entry.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. THE PARENTING CONFERENCE PROVIDER IS AUTHORIZED TO SCHEDULE THE CONFERENCE AND ACCOMMODATE REASONABLE SCHEDULING REQUESTS FROM THE PARTIES. IF YOUR SCHEDULING REQUEST IS NOT PERMITTED BY THE PROVIDER AND YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE ASSIGNED JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

FILED: Acknowledgment and Notice of Parenting Conference (2)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

IT IS ORDERED setting Father's *Petition for Dissolution of Marriage* filed on February 18, 2015, for **Trial to the Court on October 2, 2015, at 2:00 p.m. (3 hours allotted)** in this division:

Maricopa County Superior Court
Southeast Judicial District
222 E. Javelina Avenue
Courtroom 301
Mesa, Arizona 85210

NOTE: Effective July 6, 2015, Honorable Bethany G. Hicks will be retiring. Accordingly, this matter will be heard by the newly assigned judicial officer, Honorable Ted Campagnolo.

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

IT IS ORDERED all discovery shall be completed by **September 1, 2015**.

IT IS FURTHER ORDERED no later than **September 25, 2015**, the parties shall file and provide this division with a copy of a Joint Pre-Trial Statement pursuant to Rule 76, *Arizona Rules of Family Law Procedure*. If a Joint Pre-Trial Statement is impossible, then this Court will accept separate Pre-Trial Statements.

IT IS FURTHER ORDERED that the Joint Pre-Trial Statement shall include:

1. A current *Affidavit of Financial Information* (AFI) completed by each party. **Each party shall attach to the AFI income tax returns for the last two years AS FILED, with all schedules, earning statements, and other such documentation necessary to establish or prove his/her income.**
2. If there are disputed custody, access, or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current *Parent's Worksheet for Child Support Amount* completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. § 25-351 et seq.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

5. If there are disputed issues regarding division of property, a current and detailed inventory of property and debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the Court prefers a one-page statement of all property except personal property items valued at less than \$500.00 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. § 25-318(H).
8. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees submitted in accordance with the requirements of Rule 78(D), *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial or to timely present the *Joint Pre-Trial Statement* in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), *Arizona Rules of Family Law Procedure*, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED that the parties and counsel, if represented, shall provide to the clerk of this division any exhibits they seek to admit into evidence. **All exhibits must be clearly identified, must be separated by a COLORED sheet of paper, and must be hand-delivered to the clerk of this division no later than 11:00 a.m. on September 25, 2015. All exhibits shall be hand-delivered directly to court staff at this division's suite.** No exhibits shall be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections. NOTE: THIS DIVISION WILL NOT ACCEPT A BENCH COPY OF THE EXHIBITS.**

IT IS FURTHER ORDERED that the parties shall indicate in the *Joint Pre-Trial Statement* those exhibits they have agreed will be admissible at trial, as well as any specific objections that will be made to any exhibit, if offered at trial, that the parties have not mutually agreed may be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial, all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the *Joint Pre-Trial Statement* shall be summarily admitted.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

You may request conclusions of fact and law on the following issues, if they are contested: child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the Court before trial. If you make a written request before trial, the Court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the *Joint Pre-Trial Statement*.

Counsel and the parties are reminded of their obligation to give prompt notice to the Court of any settlement as required by Rule 70, *Arizona Rules of Family Law Procedure*. Should the parties reach a full agreement prior to the date of trial, the Court may consider a motion to vacate trial **ONLY AFTER A SIGNED STIPULATED AGREEMENT IS PRESENTED TO THE COURT**.

Continuances, postponements, and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five business days before the scheduled hearing.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81 (D), *Arizona Rules of Family Law Procedure*.

DATED this 21st day of May 2015.

/S/ HONORABLE BETHANY G. HICKS

HONORABLE BETHANY G. HICKS
JUDICIAL OFFICER OF THE SUPERIOR COURT

4:50 p.m. Hearing concludes.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-002694

05/21/2015

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

AMANDA M SAVAGE: Current Employer Information, Non IV-D Payment Instructions